

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**SHANNON CLEMMONS,**

**Plaintiff,**

**v.**

**RON SMITH;  
SMITH MANAGEMENT PARTNERS, LLC;  
PRECIOUS MOMENTS COMPANY, INC.;**  
**and PRECIOUS MOMENTS FAMILY OF  
COMPANIES, INC.,**

**Defendants.**

**Civil Action No. 3:08-cv-00811**

**Senior Judge John T. Nixon  
Magistrate Judge Juliet E. Griffin**

**AGREED ORDER DISSOLVING AND VACATING THE TEMPORARY  
RESTRAINING ORDER ENTERED ON AUGUST 27, 2008**

This case is before the Court on Defendants' emergency motions to dissolve [Docket Nos. 15 and 27] the Temporary Restraining Order entered on August 27, 2008 [Docket No. 10]. As evidenced by the signature of the parties' counsel, the parties agree and consent and the Court hereby ORDERS:

1. The Temporary Restraining Order entered on August 27, 2008 is hereby dissolved and vacated;
2. The \$5,000 bond posted by Plaintiff shall be returned;
3. Plaintiff's Motion for Preliminary Injunction [Docket No. 5] is withdrawn and the hearing scheduled for September 11, 2008 at 11:00 a.m. is cancelled;
4. In accordance with the Local Rules, the parties will submit a proposed scheduling order within five days of the entry of this order setting this case for trial in ninety days or as soon thereafter as the Court's docket permits; and
5. Nothing in this order should be construed to waive, limit any rights, claims, remedies or defenses.



IT IS SO ORDERED.

DATED this 2<sup>nd</sup> day of September, 2008.

  
UNITED STATES DISTRICT JUDGE

**AGREED TO AND APPROVED FOR ENTRY BY:**

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and Precious Moments Family of Companies, Inc.*

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